

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Order

No. SPL-CF-64

The order of even number dated 24th August, 1970, published in Official Gazette Series II, No. 23 dated 3-9-1970 appointing Shri H. M. Gidwani, Deputy Conservator of Forests as officiating Conservator of Forests, is hereby cancelled with immediate effect.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Deputy Secretary (Appointments).

Panaji, 19th May, 1971.

Order

No. SPL/GCS/39/71-B

Read: — Order No. SPL/GCS/38/71-B dated 31st March 1971 published in Govt. Gazette, Series II, No. 2 dated 8th April 1971.

The Lieutenant Governor of Goa, Daman and Diu is pleased to make the following transfers with immediate effect:—

Shri Balaji Counto, Deputy Registrar of Co-operative Societies transferred as Assistant Director of Panchayats vice Shri A. Venkataratnam.

Shri A. Venkataratnam, Assistant Director of Panchayats transferred as Civil Administrator, Diu, vice Shri Pukh Raj Bumb.

Shri Pukh Raj Bumb, Civil Administrator, Diu transferred as Deputy Collector (Land Acquisition Officer) vice Shri Egipsio de Noronha Rodrigues.

Shri Egipsio de Noronha Rodrigues, Deputy Collector, (Land Acquisition Officer) transferred as Deputy Director of Civil Supplies and Price Control vice Shri W. S. Walawalkar.

Shri W. S. Walawalkar, Deputy Director of Civil Supplies and Price Control transferred as Under Secretary (Revenue) vice Shri Vaman Sardesai.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Deputy Secretary (Appointments).

Panaji, 22nd May, 1971.

Notification

No. SPL-EST-9364(2)

In exercise of the powers conferred on him by Rule 9 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, read with the Schedule thereto, and all other powers enabling him in this behalf, the Administrator of the Union Territory of Goa, Daman and Diu hereby specifies the Commissioner, Labour and Employment as the Appointing and Disciplinary Authority under the said Rules, for Class III and

Class IV posts under the State Apprenticeship Scheme and Industrial Training Institute, which have been transferred to Labour Department under Government Notification No. LC/EST/MISC/70/1101 dated 23-12-70, published in Official Gazette, Series II, No. 40 dated 31-12-70.

The Secretary (Industries and Labour) shall be the Appellate Authority in respect of such posts.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. R. Sawant, Deputy Secretary (Appointments).

Panaji, 15th May, 1971.

Notification

No. SPL/GCS/39/71-B

The Lieutenant Governor of Goa, Daman and Diu is pleased to order the promotion on ad-hoc basis of Shri Vaman Sardesai, Grade II Officer of the Goa, Daman and Diu Civil Service, now Under Secretary, (Revenue) as Grade I Officer of the same Service and post him as Registrar of Co-operative Societies with immediate effect.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Deputy Secretary (Appointments).

Panaji, 22nd May, 1971.

Finance (Control) Department

Order

No. 2-4-71-Fin(C)/747

Ref.: Govt. Order No. F(c)/19-3/Vol. II/507, dt. 23-2-70.

Shri G. N. Melmani, S. A. S. Accountant of the Office of the A. G. Maharashtra, on deputation as Assistant Accounts Officer in the Directorate of Accounts, Panaji, is hereby granted earned leave from 1st June, 1971 to 20th July, 1971. His services would be replaced at the disposal of his parent Department after the expiry of the leave.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. G. Sathe, Under Secretary (Finance).

Panaji, 21st May, 1971.

Revenue Department

Notification

No. RD/TNC/BND/280/67-71/XLI

In pursuance of the proviso to sub-section (3) of Section 26 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, the Government hereby specify the following bund described in the schedule appended hereto as a protective bund for the purpose of the said proviso.

SCHEDULE

Name of the bund	Village	Taluka	Description
1. a) Vajem b) Panta Cantor c) Cono d) Kanyar Comunidade e) Sapal f) Cantor g) Kanyar Comunidade	Vajem-Siroda	Ponda	The bund starting with the paddy field «Vajem» belonging to Shri Madhav Gaoncar and others, running marginal to the river Zuari and ending with the paddy field «Kanyar Comunidade» belonging to the Comunidade of Loutulim and situated at Vajem-Siroda of Ponda Taluka.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. Sardessai, Under Secretary (Revenue).

Panaji, 20th May, 1971.

Collectorate of Goa

Notification

No. RB/REV/62/1588

In exercise of the powers conferred by Section 4 of the Goa, Daman and Diu Revenue Code, 1968, read with Govt. Notification No. RD/LRC/47/71-II, dated 26-2-1971 published on page 440, Series II, No. 49 of Govt. Gazette dated 5-3-1971, I, Shri P. S. Bhatnagar, Collector of Goa, on behalf of Govt. hereby appoints the following officers for the purpose of Land Revenue Code, 1968, in respect of their respective jurisdiction mentioned in column 4 of the schedule.

SCHEDULE

Sr. No.	Name of Officer	Officers under the code	Jurisdiction
1	2	3	4
1.	Shri K. P. Narvenkar	Mamlatdar	Tiswadi Taluka
2.	Shri S. S. Rao	Mamlatdar	Bardez Taluka
3.	Shri S. G. Lawanis	Mamlatdar	Pernem Taluka
4.	Shri G. K. Walvi	Mamlatdar	Bicholim Taluka
5.	Shri M. G. S. Nagar-senkar	Mamlatdar	Satari Taluka
6.	Shri V. J. Menezes	Mamlatdar	Ponda Taluka
7.	Shri D. P. Anvekar	Mamlatdar	Sanguem Taluka
8.	Shri S. D. Ganjekar	Mamlatdar	Quepem Taluka
9.	Shri G. D. Naik	Mamlatdar	Canacona Taluka
10.	Shri N. D. Vengurlekar	Mamlatdar	Salcete Taluka
11.	Shri M. M. Mithavkar	Mamlatdar	Mormugao Taluka

P. S. Bhatnagar, Collector of Goa.

Panaji, 10th May, 1971.

Law and Judicial Department

Order

The post of Officer on Special Duty, Law Commission held by Shri F. J. Colaco, expires with effect from 1-3-1971 and

The permanent post of Notary Public previously held by Shri F. J. Colaco already stood abolished with effect from 1-4-1968; and

Now consequent on the abolition of the above posts Shri F. J. Colaco is permitted to retire with effect from 1-3-1971 and notice is hereby given to him that he will be discharged from service with effect from 1-3-1971. He will be entitled to the retirement benefit and gratuity as admissible under the rules.

By order and in the name of the Administrator of Goa, Daman and Diu.

O. P. Garg, Law Secretary.

Panaji, 20th February, 1971.

Office of the Chief Electoral Officer

Corrigendum

No. 3-6-71/ELEC.

The date of notification No. 429/Goa/70(1) of the Election Commission of India, appearing in the notification dated 21-4-1971 published in the Official Gazette No. 5, Series II dated 29-4-1971 on page 33 should be read as 12-4-1971 instead of 12-1-1971.

O. P. Garg, Chief Electoral Officer.

Panaji, 19th April, 1971.

Local Self Government Department

Notification

No. LSG/MUN/6884/67/70

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz. widening of approach road to Coligantiwada.

Therefore the Government is pleased to notify under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said land») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector, appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of section 3 of the said Act the Deputy Collector, North Sub-Division, Panaji to perform the functions of a Collector under the said Act, in respect of the said land.

5. The Government is also pleased to authorize under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector, North Sub-Division, Panaji.
3. The Director of Land Survey, Panaji.
4. The President, Mapusa Municipal Council, Mapusa.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector, North Sub-Division,

Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Taluka	Village	Plot No.	Survey No.	Name of the person believed to be interested	Approximate area in Sq. mts.
1	2	3	4	5	6
Bardez *	Corlim (Mapusa)	—	—	A strip of land on either side of the road at Colligantiwaddo, Corlim, Mapusa bearing part of survey Nos. 40 and 43 of Corlim (urban area) and part of survey Nos. 95, 96, 104 and 105 of Corlim (rural area).	400.00
Total Sq. mts.					400.00

By order and in the name of the Administrator of Goa, Daman and Diu.

D. N. Barua, Secretary, Industries and Labour.

Panaji, 17th May, 1971.

Food and Civil Supplies Department

Public Works Department

Principal Engineer's Office

Notification

No. PWD/LA/11258/29/71

Whereas by Government Notification No. PWD/LA/27/68 dated 15-6-68 published on page 81 of Series II, No. 13 of the Government Gazette, dated 27-6-68 it was notified under section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as «the said Act») that the land specified in the schedule appended to the said Notification (hereinafter referred to as the «said land») was likely to be needed for public purpose viz. for widening of Mardol Apeval road.

And whereas the appropriate Government (hereinafter referred to as «the Government») is satisfied after considering the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, therefore, the Government is pleased to declare under the provisions of section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of section 3 of the said Act, the Deputy Collector, South Sub-Division, Margao to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Deputy Collector, South Sub-Division, Margao till the award is made under section 11.

SCHEDULE
(Description of the said land)

Taluka	Village	Plot No.	Name of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5
Ponda	Priol	1	Shri Butule of Mardol. <i>Boundaries:</i> North and South: Land of Shri Butule. West: Panaji-Margao road. East: Land of Devi Santevi, Achyut Totekar.	340.00
		2	Shri Devi Santevi and Shri Achyut Totekar of Mardol. <i>Boundaries:</i> North and South: Land of Devi Santevi and Achyut Totekar. South: Land of Shri Butule. East: Land of Shri Ganapathi Babu Totekar.	665.00
		3	Shri Ganapathi Babu Totekar, of Mardol. <i>Boundaries:</i> North and South: Land of Shri Ganapathi Babu Totekar. West: Land of Shri Devi Santevi. East: Land of Guru Sinai Kelekar.	175.00
		4	Shri Guru Sinai Kelekar and others of Mardol. <i>Boundaries:</i> North and South: Land of Shri Guru Sinai Kelekar. West: Land of Ganapathi Babu Totekar. East: Land of Shri Deo, Keshava Gajanan Savoikar.	1303.20
		5	Shri Deo Keshava Gajanan Savoikar, of Mardol. <i>Boundaries:</i> North and South: Land of Shri Deo Keshava and Shri Gajanan Savoikar. West: Land of Shri Guru Sinai Kelekar. East: Land of Shri Valkunt Kaunte of Velim.	339.65

1	2	3	4	5
Ponda	Priol	6	Shri Vaikunt Khaunte of Velim. <i>Boundaries:</i> North and South: Land of Shri Vaikunt Khaunte of Velim. West: Land of Shri Deo Keshava and Shri Gajanan Savolkar. East: Land of Shri Arjun Mahadeva Counto.	248.200
		7	Shri Arun Mahadeva Counto of Velim. <i>Boundaries:</i> North and South: Land of Shri Arun Mahadeva Counto. West: Land of Shri Vaikunt Khaunte. East: Land of Shri Mukund Kelekar.	159.00
		8	Shri Mukund Kelekar of Priol. <i>Boundaries:</i> North and South: Land of Mukund Kelekar. East: Land of Shri Guru Sinai Kelekar. West: Land of Shri Arun Mahadeva Counto.	181.630
		9	Shri Guru Sinai Kelekar and others of Priol. <i>Boundaries:</i> North and South: Land of Mukund Kelekar. West: Land of Shri Guru Sinai Kelekar. East: Land of Shri Raghuvir Garav.	1615.925
		10	Shri Raguvir R. Garav of Priol. <i>Boundaries:</i> North and South: Land of Shri Raghuvir Garav. West: Land of Shri Guru Sinai Kelekar. East: Land of Pandurang Hari Priat.	229.50
		11	Shri Upai Atmaram Garav of Priol. <i>Boundaries:</i> North and South: Land of Upai Atmaram Garav. West: Land of Raghuvir R. Garav. East: Land of Pandurang Hari Priat.	181.875
		12	Shri Pandurang Hari Priat of Priol. <i>Boundaries:</i> West: Land of Upai Atmaram Garav. North and South: Land of Pandurang Hari Priat. East: Land of Shri Vinaik Rai Garav.	37.00
		13	Shri Vinaik Rai Garav Priol. <i>Boundaries:</i> West: Land of Pandurang Hari Priat. North and South: Land of Vinaik Rai Garav. East: Land of Dattaram Sinai Priolkar.	96.50
		14	Shri Dattaram Sinai Priolkar of Priol. <i>Boundaries:</i> North and South: Land of Shri Dattaram Sinai Priolkar. East: Land of Gurunath Shivaji Kelekar. West: Land of Shri Vinaik Rai Garav.	496.50
		15	Shri Gurunath Shivaji Kelekar. <i>Boundaries:</i> North and South: Land of Shri Gurunath Shivaji Kelekar. East: Land of Shri Pandurang Vithal Kelkar. West: Land of Shri Dattaram Sinai Priolkar.	288.00
		16	Shri Pandurang Vithal Kerkar of Priol. <i>Boundaries:</i> West: Land of Shri Gurunath Shivaji Kelekar. East: Land of Shri Pandurang Vithal Kerkar. East: Land of Shri Jaivanth Kelekar.	184.00
		17	Shri Jaivant Kelekar, Bombay. <i>Boundaries:</i> West: Land of Shri Pandurang Vithal Kerkar. North and South: Land of Jaivant Kelekar. East: Land of Shri Sadanand Priolkar.	270.00

1	2	3	4	5
Ponda	Priol	18	Shri Sadanand Priolkar of Priol. <i>Boundaries:</i> North and South: Land of Sadanand Priolkar. West: Land of Shri Jaivant Kelekar. East: Land of Shri Gavar Sinai Kelekar.	135.00
		19	Shri Gavar Sinai Kelekar. <i>Boundaries:</i> West: Land of Shri Sadanand Priolkar. North and South: Land of Shri Gavar Sinai Kelekar. East: Land of Shri Promod Sinai Priolkar.	684.00
		20	Shri Promod Sinai Priolkar. <i>Boundaries:</i> West: Land of Gavar Sinai Kelekar. North and South: Land of Promod Sinai Priolkar. East: Land of Damodar Tarkar.	401.00
		21	Shri Damodar Tarkar of Ribandar. <i>Boundaries:</i> West: Land of Promod Sinai Priolkar. North and South: Land of Damodar Tarkar. East: Land of Rajaram Priolkar.	434.50
		22	Shri Rajaram Priolker of Priol. <i>Boundaries:</i> North and South: Land of Rajaram Priolker. West: Land of Damodar Tarkar. East: Land of Narasinha Babalo Dessai.	558.750
		23	Shri Narasinha Babalo Dessai of Priol. <i>Boundaries:</i> West: Land of Rajaram Priolker. North and South: Land of Narasinha Babalo Dessai. East: Land of Gopi Madasal.	388.025
		24	Shri Gopi Madasal of Priol. <i>Boundaries:</i> West: Land of Narasinha Babalo Dessai. North and South: Land of Gopi Madasal. East: Land of Narahari Dessai.	514.29
		25	Shri Narahari Dessai of Priol. <i>Boundaries:</i> North and South: Land of Narahari Dessai. West: Land of Gopi Madasal. East: Land of Pundalik Krishna Khavante.	283.50
		26	Shri Pundalik Krishna Khavante of Priol. <i>Boundaries:</i> North and South: Land of Pundalik Krishna Khavante. West: Land of Shri Narahari Dessai. East: Land of Dattatraya Dessai.	154.250
		27	Shri Dattatraya Dessai of Priol. <i>Boundaries:</i> West: Land of Shri Pundalik Krishna Khavate. North and South: Land of Dattatraya Dessai. East: Land of Kamat Gaonkar.	201.50
		28	Shri L. R. Kamat Gaonkar, Rtd. Ex. Eng. of P.W.D., Panaji. <i>Boundaries:</i> North and South: Land of L. R. Kamat Gaonkar. West: Land of Shri Dattatraya Dessai. East: Land of Vaikunt Sinai Priolkar.	467.70
		29	Shri Vaikunt Sinai Priolkar Panaji. <i>Boundaries:</i> West: Land of L. R. Kamat Gaonkar. North and South: Land of Vaikunt Sinai Priolkar. East: Land of Rajaram Priolkar.	273.500
		30	Shri Rajaram Priolkar of Priol. <i>Boundaries:</i> West: Land of Vaikunt Sinai Priolkar. North and South: Land of Rajaram Priolkar. East: Land of Vanunkesh Khounte.	157.500

1	2	3	4	5
Ponda	Priol	31	Shri Vanunkatesh Khounte of Priol. <i>Boundaries:</i> West: Land of Vaikunt Sinai Priolkar. North and South: Land of Vanunkatesh Khounte. East: Land of Narayan Vaidhya.	325.00
		32	Shri Narayan Vaidhya, Keri. <i>Boundaries:</i> West: Land of Vanunkatesh Khounte. North and South: Land of Narayan Vaidhya. East: Land of Appeval Ponda, road.	204.50
Total Area				11,993.405

By order and in the name of the Lieut. Governor of Goa, Daman and Diu.

Balcrisna R. Naique, Principal Engineer PWD, and Ex-Officio Addl. Secretary to the Govt.
Panaji, 14th March, 1971.

Notification

PWD/LA/1258/29/71

Whereas by Government Notification No. PWD/LA/53/68 dated 19-11-68 published on page 305 of Series II, No. 36 of the Government Gazette, dated 5-12-68 it was notified under section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as «the said Act») that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the «said land») was likely to be needed for the public purpose viz. Construction of a new Road to Mahadev Temple at Arvalem near Sanquelim.

And whereas the appropriate Government (hereinafter referred to as «the Government») is satisfied after considering the report made under sub-section (2) of section 5A of the

said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, therefore, the Government is pleased to declare under the provisions of section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of section 3 of the said Act, the Dy. Collector, Goa North Division, Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Dy. Collector, Goa North Division, Panaji, till the award is made under section 11.

SCHEDULE
(Description of the said land)

Taluka	Village	Plot No.	Name of the person believed to be interested	Area in sq. mts.
1	2	3	4	5
Bicholim	Arvelem	1	Dincar Sinai Budcule. <i>Boundaries:</i> North: P.W.D. Road Sanquelim to Onda. South: Land of Balchandra Gajanan Budcule. East: Land of Dincar Sinai Budcule. West: Land of Dincar Sinai Budcule.	7827.00
		2	Balchandra Gajanan Budcule. <i>Boundaries:</i> North: Land of Dincar Sinai Budcule. South: Land of Balchandra Gajanan Budcule. East: Land of Prabhakar Ramchandra Budcule. West: Land of Balchandra Gajanan Budcule.	4132.50
		3	Prabhakar Ramchandra Budcule. <i>Boundaries:</i> North: Land of Balchandra Gajanan Budcule. South: Mahadev Temple Property. West: Land of Prabhakar Ramchandra Budcule. East: Land of Prabhakar Ramchandra Budcule.	1341.75
		4	Mahadev Temple Arvalem. <i>Boundaries:</i> North: Land of Prabhakar Ramchandra Budcule. South: Land of Mahadev Temple, Arvalem. East: Land of Mahadev Temple, Arvalem. West: Land of Mahadev Temple, Arvalem.	1455.50

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

B. R. Naique, Principal Engineer, PWD & Ex-Officio Addl. Secretary to the Government.
Panaji, 12th May, 1971.

Development Department 'A'

Order

No. CDB/COOP/26/70-71

In exercise of the powers conferred upon him under Rule 102 of the Co-operative Societies Rules 1962 for the Union Territory of Goa, Daman and Diu, the Administrator of Goa, Daman and Diu is pleased to appoint the Development Commissioner to hear co-operative appeals under Section 152 of the Maharashtra Co-operative Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu and Rule 103 of the Cooperative Societies Rules 1962 for the Union Territory of Goa, Daman and Diu.

By order and in the name of the Administrator of Goa, Daman and Diu.

Abel do Rosario, Under Secretary (Development).

Panaji, 20th May, 1971.

Notification

No. CDB/COOP/1181/68-71

Read: — 1. Government Notification No. CDB/COOP/1171/68-69 dated 9-5-69;
2. Government Notification No. CDB/COOP/1171/68-69/69-70 dated 17-3-71.

In exercise of the powers conferred by sub-section (3) of Section 14 of the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 as extended to the Union Territory of Goa, Daman and Diu, the term of the Goa Agricultural Produce Market Committee constituted under Government Notification read at (1) and (2) above, is hereby extended further, for a period of one year, from 26-6-71.

By order and in the name of the Administrator of Goa, Daman and Diu.

Abel do Rosario, Under Secretary (Development).

Panaji, 19th May, 1971.

Development Department 'B'

Notification

No. F-12-8-71-GHB

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz., Housing Scheme at Borda.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector, appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be

disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector, South Sub-Division Margao to perform the functions of a Collector under the said Act, in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

- 1. The Collector of Goa, Panaji.
- 2. The Deputy Collector South Sub-Division, Margao.
- 3. The Secretary, Goa, Daman and Diu, Housing Board, Panaji.
- 4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector South Sub-Division, Margao for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka	Village	Plot No.	Survey No.	Name of the person believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
Salcete	Margao	1	—	A plot known as «Chinchechem Modd» believed to be held by Shri Calazancio Fernandes, Margao.	40,560.00
Boundaries:					
				North: Public Road Mugari-Chowgule College.	
				South, East and West: Margao Comunidade.	
— do —	— do —	2	—	A plot known as «Chinchem Modd» believed to be held by Shri Calanzancio Fernandes, Margao.	104,600.00
Boundaries:					
				North: Remaining part of this plot and land of Margao Comunidade.	
				South: Public road Mugari-Chowgule College.	
				East: Margao Comunidade and land of Antonio Barreto.	
				West: Road reserved by Margao Comunidade.	
					Total 145,160.00

By order and in the name of the Lt. Governor/Administrator of Goa, Daman and Diu.

T. Kipgen, Development Commissioner.

Panaji, 18th May, 1971.

Notification

No. F-12-9-71-GHB

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz. Housing Scheme at Taleigao.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector, appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector, North Sub-Division Panaji to perform the functions of a Collector under the said Act, in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector, North Sub-Division, Panaji.
3. The Secretary, Goa, Daman and Diu, Housing Board, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector North Sub-Division, Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka	Village	Plot No.	Survey No.	Name of the person believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
Tiswadi (Goa)	Taleigao	—	172/part	Smt. Maria Carmen de Valle Correa da Graca Miranda, Panaji and other heirs to the property of the late Shri Antonio Correa da Graca Miranda.	47,125 sq. mts.
— do —	Durgavado	—	1/part	Shri Aleixo Casimiro Lobo, Mapusa.	1,100 sq. mts.
Total					48,225 sq. mts.

By order and in the name of the Lt. Governor/Administrator of Goa, Daman and Diu.

T. Kipgen, Development Commissioner.

Panaji, 18th May, 1971.

Notification

No. F-1-12-71-GHB

In exercise of the powers conferred under section 60 of the Goa, Daman and Diu Housing Board Act, 1968 the Government of Goa, Daman and Diu is pleased to appoint Deputy Collector North Goa and Deputy Collector South Goa as competent authorities for performing the functions under Chapter VII of the Goa, Daman and Diu Housing Board Act 1968 in the areas of their jurisdiction in respect of premises under the control/management of Goa, Daman and Diu Housing Board under the provisions of sections 61 to 64 of the said Act.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary (Planning).

Panaji, 17th May, 1971.

Industries and Power Department

Notification

No. DIM/121/69-71

Whereas i) By order No. DI/Mines/70/697 dated 18-4-1970 a Prospecting Licence in respect of an area of 347 Ha. for a period of two years was granted to Shri Shivaji R. Narvekar, Sanquelim.

ii) The said Shri Shivaji R. Narvekar has failed to deposit the security deposit and execute the Prospecting Licence required under Rule 15(1) of the Mineral Concession Rules, 1960.

iii) The Lt. Governor of Goa, Daman and Diu in exercise of the powers conferred by Rule 15(1) of the Mineral Concession Rules, 1960 and all other powers enabling him in this behalf has by order No. DIM/121/69-71 dated 18th May, 1971 revoked the order dated 18-4-1970 for the grant of Prospecting Licence.

Now, therefore, under Rule 58 of the Mineral Concession Rules, 1960 it is hereby notified for general information that the area shown in column 1 of the schedule below is available for grant of prospecting licence/mining lease in respect of the mineral shown in column 2.

2. Interested persons may apply for the grant of prospecting licence/mining lease to the Directorate of Industries & Mines, Panaji after expiry of 30 days from the date of publication of the notification.

3. The sketches of the area shown in the schedule may be inspected at Mines Department, Directorate of Industries & Mines, Panaji on all working days during office hours.

SCHEDULE

Area available for grant of Prospecting Licence/Mining Lease	Mineral	Village in which the area is located	Taluka	District
347 Ha	Silica	Borim, Concem, Betora, Nirancal, Siroda & Codar.	Ponda	Goa

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. Noronha, Under Secretary (Industries).

Panaji, 19th May, 1971.

Office of the Controller Weights and Measures

Order

OC/WM/24-OF(5-PF)/16

Earned leave for nine days with effect from 25th May, 1971 to 2nd June, 1971, is hereby granted to Shri D. A. Gaonkar, Assistant Controller of Weights & Measures, Panaji.

On expiry of leave he has to join the same post.

Certified that, but for proceeding on earned leave Shri D. A. Gaonkar, would have continued to officiate in the post of Assistant Controller of Weights & Measures.

Jagdish Sagar, Controller Weights & Measures.

Panaji, 21st May, 1971.

Labour and Information Department

Order

No. LC/1/ID(77)/69/IT-5/70-71

The following Award given by the Industrial Tribunal, Goa, Daman and Diu, on an Industrial Dispute between M/s. Jose Francisco dos Santos, Torsanzori, Margao (Goa), and the workmen employed by them, is hereby published as required vide provisions of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947):—

Before Shri N. L. Abhyankar, Industrial Tribunal, Goa, Daman and Diu

Reference (IT-GDD) No. 8 of 1970

Between

M/s. Jose Francisco dos Santos, Tersanzeri, Goa

And

The workmen employed under them.

In the matter of the legality and propriety of the termination of the services of Shri Sebastian Fernandes, Chief Store Keeper, and the relief, if any, to which he is entitled.

Appearances:

Shri H. R. Bharne, Advocate, for the employer.

Shri Baptista Rebello, Advocate, for the workmen.

AWARD

This is a reference by the Government of Goa, Daman and Diu in exercise of the powers under Sec. 10(1)(d) of the Industrial Disputes Act, XIV of 1947, made to this Court for adjudication in respect of the following dispute:

«Whether the action of Messrs. Jose Francisco dos Santos, Tersanzeri, Margao, Goa, in terminating the services of Shri Sebastian Fernandes, Chief Store Keeper, with effect from 25-9-1969 is legal and justified, if not, to what relief the workman is entitled?»

2. For the sake of brevity hereinafter the employer shall be referred to as «Santos» and the employee as «Sebastian» which are their respective first names.

3. Shri Sebastian was employed in the factory of Shri Santos. Sebastian claims that he was employed from 1958 and Santos has admitted in the witness box that Sebastian was in his employment at least since 1960 or 1961. Sebastian was in receipt of a monthly salary of Rs. 180. It does not appear that any other allowances were paid to the workmen by the employer. The employer Santos has however admitted that after the provident fund scheme became applicable to his factory, both the employer and the employees have been contributing to the provident fund. The employer has also admitted that his employees were entitled to one day's paid leave for 20 days worked every year and that such leave could be accumulated up to 3 years.

4. The grievance of Shri Sebastian is that while he was in the employment of Santos because of the ailments of his mother and his daughter he was compelled to remain absent from 22nd September 1969 to 24th September 1969 for 3 days. On 22nd September 1969 he had intimated to the employer in writing through one of his neighbours that he was unable to attend duty because of the illness in the house and that he should be granted leave. When Sebastian went to work on 25th September 1969 he was told by the proprietor that is Shri Santos through one of the workers that there was no work for him. When he approached the proprietor personally as to why he was being sent away the proprietor replied that there was no work. In spite of his protest according to Shri Sebastian he was thrown out of employment. Soon thereafter he approached the Labour Commissioner for conciliation and as the dispute could not be settled the reference was made by the Government.

5. The workman claims an amount of Rs. 1,080 by way of retrenchment compensation, leave salary for 12 years service at the rate of 25 days pay for every year, salary for one month by way of notice and minimum bonus at the rate of 4% calculated on the early salary for 5½ years. In paragraph 5 of the statement of claim the workman has claimed that in the event of the Tribunal holding that his dismissal is illegal he should be reinstated with back wages.

6. The employer Santos has filed his written statement disputing all adverse claims and denied liability except for pay for the month of September 1969 and whatever amount is due in lieu of leave with pay. The defence of the employer is that Sebastian had voluntarily left the service of the employer with effect from 22-9-1969 without notice or intimation. The workman had approached the employer on 26-9-1969 and demanded a certificate about his service and that his dues should be settled because he had left the services of the employer. Thus the employer denies that he terminated the service of Shri Sebastian and on the contrary states that Sebastian had voluntarily left his job. The employer denies liability for payment of retrenchment compensation or any amount for leave with wages for 12 years.

7. The workman filed a copy of the notice dated 4th October 1969 received from the employer and a copy of the failure report of the conciliation officer, that is, the Assistant Commissioner of Labour.

8. Shri Sebastian examined himself and also examined one witness by name Rebello. Sebastian stated on oath that his mother was ill and therefore he had sent a note with one of his neighbours to his master that his mother being seriously ill he would not be able to attend for 3 days. After his mother's illness he reported for duty on the 3rd day when the proprietor Santos told him through one of the workers that he had no work for him. He protested with the proprietor that he was being thrown out by the employer after having served him for a number of years but the proprietor only asked him to come the next day for his wages. The employee refused to accept wages for the month but he approached the authorities, that is the Commissioner of Labour for relief. According to Shri Sebastian he was not given any leave though the understanding was that he should be entitled to 30 days paid leave in a year, but he was not given any such leave. It was only after the strike in 1967 that the employer agreed to give 25 days leave per year with pay. He also stated that he did not receive any bonus even at the minimum rate from the employer for all these years. According to Shri Sebastian after being thrown out of employment by Santos he tried to find work but was not able to get any job. He admitted having received the letter dated 4th October 1969 but it was received by him when he had gone to the factory and not through the post. He again affirmed that he did not voluntarily decline to work as alleged by the employer and that his services were terminated without notice or without any cause merely by an oral order.

9. Shri Neves Rebello is a youngman who testified to his having been called by the employee Shri Sebastian on 22nd September 1969 to make a note about his mother's illness and to take the said note to the proprietor. In fact this witness scribed the note which he ultimately took to the proprietor. According to this witness he handed over the note to the proprietor at about 10-15 in the morning that day. The witness has been asked how he went there, what time he reached, etc., but nothing substantial has been brought out to discredit the testimony of this witness.

10. In support of his defence that the employee had voluntarily left the service Shri Santos has examined himself. He

has led no other evidence. According to Santos, Sebastian did not attend on 22nd September 1969 and he has denied to have received any note about his absence. He stated that Sebastian had come to the factory on the 26th and 28th September 1969 and when he asked him why he had not come the previous day Sebastian told him that he had left the factory and asked him to make up his account. He asked Sebastian to come the next day but he did not come for 3 days. It is significant that Santos admits that Sebastian did come after 3 days, that Sebastian told him that he had turned him out to which Santos replied that he himself remained absent. Santos again reaffirmed that he did not terminated the services of Sebastian and expressed his willingness to take him back in service even on the day he was examined. Santos admitted that Sebastian had to his credit 32 days leave with pay and that he was prepared to pay him that much amount. In paragraph 15 of his deposition Shri Santos admitted that he might have sent his representative to the Labour Commissioner on receipt of the notice from that office and that one Shri Kamath was his representative before the Labour Commissioner.

11. Besides the oral testimony of each side there is a material document on the record namely the report of the failure of conciliation proceedings. In paragraph 3 of his failure report the Assistant Commissioner of Labour has observed as follows:—

«The employer once sent his representative Mr. Y. A. Kamath and thereafter did not attend the discussions at all. In one meeting when Mr. Kamath came as a representative, he contended on behalf of the employer Mr. Santos that the workman Mr. Fernandes was asked to do overtime on Sunday, the 21st September 1969 as there was a very urgent work. Mr. Fernandes, the workman in dispute, did not turn up for the overtime work on Sunday as a result of which the company suffered a great loss. He further contended that on 22-9-1969 the employer received a note from Mr. Fernandes but because of the Sunday's overtime instance, he was aggrieved with the behaviour of Mr. Fernandes and as such he did not grant the leave which Mr. Fernandes had applied for through the note...».

12. Now the short question to be decided in this reference is whether the employer terminated the services of Sebastian and if so whether the termination was legal and proper.

13. Shri Sebastian has claimed from the very beginning that because of his mother's illness he had sent a written application or a note asking for 3 days leave from 22-9-1969 and that he was absent on that account having applied for leave on account of his mother's illness, that when he went on 25-9-1969 the proprietor told him that there was no work for him. In other words saying that he was no longer required in service. It is unfortunate that Santos should have denied on oath that he had received a written communication from Sebastian asking for 3 days leave because of his mother's illness. The passage from the failure report of the Assistant Commissioner of Labour cited above shows that at an earlier stage the representative of the employer Shri Kamath had accepted that such a note was received and that report also shows that the employer was annoyed with Sebastian because of his refusal to do overtime work. It is difficult to come to any conclusion that on 21st September 1969 Santos had asked Sebastian to do overtime work because there is no reference to it in the testimony of either witness and Sebastian had stated that the factory was closed on 21st September 1969. Be that as it may, it is clear from the testimony of the employee Sebastian and the testimony of witness Shri Rebello that a note was sent asking for leave for 3 days because of his mother's illness and that it was duly received by the proprietor. It is difficult to accept the testimony of Santos that he had not received such a communication from Sebastian. I also do not accept the statement of Santos that Sebastian had voluntarily abandoned his service or left the

service of the employer Santos. If there was any truth in this contention it is hardly likely that Sebastian would again and again approach the employer or protest against being thrown out of employment or make an approach to the Asstt. Commissioner of Labour complaining against the termination of his service. It is therefore clear that for reasons known only to himself Santos was annoyed with his employee Sebastian and just threw him out of employment. It does not appear that there was any justification for such an action. If Santos was not satisfied with the reason for the absence of Sebastian an enquiry could have been made, an opportunity could have been given to Sebastian to satisfy the employer that there was sufficient cause for his absence due to his mother's illness.

14. There is no doubt in my mind therefore that the termination of the services of Sebastian by the employer is illegal and cannot be up-held. The order of termination was oral but it is equally effective in as much as Sebastian was not taken on work since then. In the witness box Santos stated in paragraph 5 of his deposition that he did not terminate the services of Sebastian and that he was willing to take him back. If that is so, then the only and proper order that can be made is that Shri Santos shall reinstate Sebastian back in service and pay him his wages from 25th September 1969 till the date of his reinstatement. Accordingly I direct that the employer Jose Francisco dos Santos shall reinstate the workman Sebastian Fernandes forthwith and shall pay him back wages from 25th September 1969 till the date of his reinstatement and shall treat him as if he continues to be in service.

15. The workman has demanded some monetary relief. As I have held that the workman has not been retrenched but his services have been illegally terminated there is no question of granting him compensation. As regards leave salary in the statement of claim a demand has been made for the leave salary at the rate of 25 days per year for 12 years but there is no satisfactory evidence on record as to when the agreement to grant leave with pay was arrived at and as to the time when the employee became entitled to leave with pay. Sebastian has stated he has never enjoyed leave with pay. The employer Santos had admitted that every employee is entitled to one day's leave with pay for 20 days worked and that such leave with pay could be accumulated for 3 years. I therefore direct that Santos shall pay Sebastian an amount calculated for leave with pay accrued due to him for 3 years next before 25th September 1969. The leave with pay shall be calculated at the rate of one days leave for 20 days worked which according to the employer Santos is the basis of granting leave with pay. The workman has also asked for bonus at the rate of 4% of his wages for 5½ years. I am not inclined to adjudicate on this demand for want of any material placed by either side in respect of this demand. Thus though I would have been inclined to consider the granting of bonus, in the absence of adequate material the claim for bonus cannot be adjudicated upon in these proceedings.

16. In the result the employer is directed to reinstate Sebastian Fernandes forthwith in service pay him back wages and in addition pay him the monetary benefit of leave with pay as indicated above.

Sd/-

N. L. ABHYANKAR

Bombay, April, 22 1971.
(AF).

Industrial Tribunal

By order and in the name of the Administrator of Goa,
Daman and Diu.

D. N. Barua, Secretary, Industries and Labour Department.
Panaji, 19th May, 1971.